

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
ZURICH CARLOTA JIMENEZ,	:	
individually and on behalf of others	:	
similarly situated	:	
	:	21-cv-7530 (VSB)
Plaintiff,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
GRAND GIFTS & CAFE INC., et al.	:	
	:	
Defendants.	:	
	:	
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VERNON S. BRODERICK, United States District Judge:

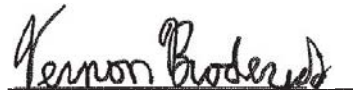
On December 14, 2021, it was reported to the Court that Plaintiff Zurich Carlota Jimenez Rojas died on November 26, 2021. (Doc. 16.) Plaintiff has not filed any document since then. Under the previously ordered briefing schedule, (Doc. 15), Plaintiff should have filed any amended complaint by December 23, 2021, or, if there was no amended complaint, should have filed any opposition to Defendant's motion to dismiss, (Doc. 14), by January 1, 2022.

Under Fed. R. Civ. P. 25(a)(1), if a party dies and the claim is not extinguished, Plaintiff's counsel has 90 days after service of a statement noting the death to file a motion for substitution; otherwise this case must be dismissed.

Therefore, it is hereby ORDERED that on or before January 11, 2022, Plaintiff's counsel shall file a letter notifying this Court whether they intend to proceed with this case. If yes, they shall file any motion for substitution on or before March 14, 2022.

SO ORDERED.

Dated: January 4, 2022
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

Vernon S. Broderick
United States District Judge